

Senate Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

CHAPTER 337

SENATE BILL 1198

AN ACT

AMENDING SECTIONS 11-904 AND 15-362, ARIZONA REVISED STATUTES; RELATING TO
PUBLIC LIBRARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-904, Arizona Revised Statutes, is amended to
3 read:

4 11-904. Contracts for third party to assume function of county
5 free library; termination

6 A. Instead of establishing a separate county free library, the board
7 of supervisors may enter into a contract under ~~the provisions of~~ this section
8 with ANY OF THE FOLLOWING:

9 1. The board of library trustees or other authority in charge of the
10 free public library of ~~an incorporated~~ A city or town, and the board of
11 library trustees or other authority in charge may make such a contract.

12 2. THE GOVERNING BOARD OF A SCHOOL DISTRICT.

13 3. THE GOVERNING BOARD OF A COMMUNITY COLLEGE DISTRICT.

14 4. A NONPROFIT CORPORATION.

15 B. The contract may provide that the ~~free public library of the~~
16 ~~incorporated~~ city or town, SCHOOL DISTRICT, COMMUNITY COLLEGE DISTRICT OR
17 NONPROFIT CORPORATION shall assume the functions of a county free library
18 within the county, including ~~incorporated~~ THE cities and towns therein. The
19 board of supervisors may pay ~~annually into the library fund of the~~
20 ~~incorporated city or town such sum as is agreed upon~~ THE AMOUNT AGREED ON IN
21 THE CONTRACT TO THE CITY OR TOWN, SCHOOL DISTRICT, COMMUNITY COLLEGE DISTRICT
22 OR NONPROFIT CORPORATION. Either party may terminate the contract by giving
23 ~~six months~~ MONTHS' notice of intention to do so.

24 Sec. 2. Section 15-362, Arizona Revised Statutes, is amended to read:

25 15-362. Libraries; powers and duties; authority to contract
26 with a county, county free library or other public
27 library

28 A. The governing board of a school district may establish and maintain
29 libraries. Such libraries shall be under control of the board. The board
30 shall be accountable for the care of the libraries, but it may appoint
31 district librarians, or it may put the libraries under direct charge of a
32 teacher or other qualified person. When requested, the board shall report on
33 the libraries to the county school superintendent on forms supplied by the
34 superintendent of public instruction.

35 B. The governing board shall:

36 1. Enforce the rules prescribed for government of school libraries.

37 2. Exclude from school libraries all books, publications and papers of
38 a sectarian, partisan or denominational character. This paragraph ~~shall not~~
39 ~~be construed to~~ DOES NOT prohibit any materials for the elective course
40 permitted by section 15-717.01.

41 C. A district library shall be free to all pupils of suitable age who
42 attend the school. Residents of the district may become entitled to library
43 privileges by payment of fees and compliance with regulations prescribed by
44 the board. The governing board may enter into a contract or agreement with
45 the proper authorities of a county free library or other public library

1 possessing facilities for rendering the desired service for the procurement
2 of reference or other library books or the extension services of such
3 library. The amount ~~so~~ expended shall not exceed two percent of the total
4 school district budget for the school year during which the services are
5 utilized.

6 D. A school district governing board may enter into intergovernmental
7 agreements with COUNTIES, county free library districts and municipal
8 libraries in the county where the school district is located.

APPROVED BY THE GOVERNOR MAY 18, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 18, 2016.

Passed the House May 6, 2016,

by the following vote: 51 Ayes,

0 Nays, 9 Not Voting

Jim Drake
Speaker of the House

Jim Drake
Chief Clerk of the House

Passed the Senate February 8, 2016,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Greg Sargent
President of the Senate

Susan Acenes
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6th day of May, 2016,

at 5:56 o'clock P. M.

Justin Boyman
Secretary to the Governor

Approved this 18th day of

May, 2016,

at 9:02 o'clock A. M.

Doug Ducey
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18th day of May, 2016

at 12:05 o'clock P. M.

Michelle Reagan
Secretary of State

S.B. 1198